

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION  
FINAL TRANSPORTATION ORDERS  
Selected for Publication  
February 2003

February 14, 2003

Gertraude M. Taut,

DOCKET NO. TV-021248

Complainant,

ORDER ON RECONSIDERATION

v.

All My Sons Moving and Storage,

Respondent.

The Commission will treat a pleading according to what it seeks rather than the label that the pleading party applies to it. Consequently, a petition for rehearing that actually seeks reconsideration will be treated as a petition for reconsideration. *WAC 480-09-425.*

A party who demonstrates that it made a good faith effort to comply fully and literally with a Commission order to present a statement of charges to a customer, but was delayed by current unavailability of the customer's current address, will not be found in violation of the order and the delay will not excuse the customer's failure to pay.

When a statement of charges is verified as accurate by Commission Staff, with reference to pertinent tariff charges for services rendered, and when no other party contests the accuracy of the Commission Staff analysis, the Commission may accept the charges as accurate.

A challenge to a Commission decision that it lacked statutory authority to decide questions of civil damages will be rejected

when the party seeking reconsideration fails to provide any legal citation in support of the challenge.

February 21, 2003

WASHINGTON UTILITIES AND  
TRANSPORTATION  
COMMISSION,

Complainant,

v.

BASIN FROZEN FOODS, INC.,

Respondent.

DOCKET NOS. UG-020230 & UG-020232

SECOND SUPPLEMENTAL ORDER  
REJECTING SETTLEMENT AGREEMENT

The Commission will consider the following in reviewing a proposed settlement agreement of a gas pipeline safety violation complaint: a) whether the proposal is proportional to the gravity of the apparent violations; b) whether the proposal sends appropriate signals to the alleged violator and the broader community; c) the seriousness of the violations; d) the circumstances of the violation, including whether the violation is intentional; e) the cooperation of the respondent, its willingness to correct, and actual correction of violations; f) frequency of violations; and, g) possibility of recurrence. *WAC 480-09-466 ¶23.*

The Commission may reject a settlement that contains allegations of serious violations and imposes significant penalties when there is no foundation for the imposition of such penalties, such as an acknowledgment by the respondent that it committed the violations. *WAC 480-09-466; ¶25.*